



April 27, 2021

Zach Binowitz
zbinowit@iu.edu
2000336247

Dear Zach Binowitz:

I have been notified of behavior on your part that is considered dangerous and disruptive to the university community, and that constitutes a serious threat of harm to yourself and/or to others on campus.

Specifically, on or around April 23, 2021 at your off-campus residence 205 E. 19th St, IUPD responded regarding a noise complaint. While approaching, officers could hear music coming from the residence from several blocks away, and observed a large group of 40-50 people gathering in the back yard of the property. IUPD learned that the Bloomington Police Department had also responded to the residence for loud music earlier in the day. IUPD officers observed an "excessive amount of alcohol containers, cups, trash, and a keg of beer in plain view," and noted that at least one person who was addressed is under the age of 21. A separate report submitted to the university indicates that the event was occurring as early as noon, involved more than 100 people at different times, and video shows that individuals were not wearing masks or physically distancing.

As president of Pi Lambda Phi fraternity, you were provided a directive by the university on February 22, 2021 to cease and desist all chapter activity, which includes hosting parties and social events. As a lease holder at 205 E. 19th St., and the president of the fraternity who primarily operates from the off-campus location of 205 E. 19th St., a location referred to by the fraternity as "The Den," it is alleged that you allowed an organization event that was in violation of a university cease and desist, and in violation of university, city, and county directives to occur. Further, it is alleged that you have been non-responsive to chapter advisers and to Pi Lambda Phi headquarters in their efforts to address and stop this situation, and that other chapter members have been calling advisers and headquarters to ask them for help because they are concerned about the events you are hosting.

It is alleged that you hosted or allowed an event where participants were present without masks and without physically distancing. This behavior presents a serious threat of harm to students, faculty, and staff and to the Indiana University campus community. Hosting, attending, or allowing a party to occur at your residence where approximately 40-100 individuals are not physically distancing or wearing facial coverings is a violation of the City of Bloomington Executive Order, the Monroe County Health Department Order, and the Indiana University Student Commitment Form. These directives are in place to slow and stop the spread of a communicable virus.

This behavior is in violation of the Code of Student Rights, Responsibilities and Conduct, which states:

Exhibit A

Part II, I. Personal Misconduct Not on University Property/I2b - Indiana University regards off-campus activity, including but not limited to university-sponsored events, as an integral part of a student's academic, personal, and professional growth. Thus, the university recognizes the right of all students to expect that the university will subject individuals to the same responsibilities and disciplinary procedures when conduct: Presents a clear danger to the personal safety of any person or the protection of any person's property, such as alcohol and drug offenses, arson, battery, fraud, hazing, participation in group violence, stalking, or theft.

Furthermore, according to the *Code of Student Rights, Responsibilities, and Conduct: Procedures for the Bloomington Campus*, Section III.B.4, "A student may be summarily suspended from the university and summarily excluded from university property and programs by the Provost or designee of a university campus. The Provost or designee may act summarily without following the hearing procedures established by this section if the officer is satisfied that the student's continued presence on the campus constitutes a serious threat of harm to the student or to any other person on the campus or to the property of the university or property of other persons on the university campus."

Based on the information I have received about your conduct, and acting as the Designee of the Provost, I am issuing you the following sanction:

1. Education Pillar - Summary Suspension

Start Date: Tuesday, April 27, 2021

I have determined your continued presence on the campus constitutes a serious threat of harm to yourself and/or to others on the campus. Given the serious threat that your continued presence creates, I have decided to summarily exclude you from Indiana University, effective immediately. University policy requires that students who are summarily suspended be immediately excluded from university property and programs. If you return to campus, IUPD will be notified and you may be arrested. A map of all campus properties can be found here: <https://map.iu.edu/>. You may be subject to loss of tuition, or a percentage loss of tuition, for in-person classes per university policy. The suspension applies to all campuses of the university. Additionally, you may be subject to further consequences imposed by your academic school.

This suspension and trespass will be in effect through at least April 27, 2022. After that time, if you wish to petition for reinstatement, you must submit a written request to osc@indiana.edu outlining the event(s) that occurred, the actions you have taken to repair any harm that was done, and the measures you have put in place to ensure this will not occur again. A determination will then be made as to whether you should be allowed to return to Indiana University. You will be informed of the decision by email.

The information in this letter is considered binding unless you request a formal review of the case before the University Hearing Commission, **no later than ten (10) days from the date of this letter**. To make such a request, please click this link: <https://indiana-advocate.symplicity.com/u/tazHMn00> or email osc@indiana.edu with your appeal statement.

In the interest of minimizing possible COVID-19 exposure to IU community members, OSC will schedule all Hearing Commissions via Zoom until further notice. This may affect the timeline of a case, and we will update you as necessary and/or requested.

If you have any questions, you may contact the Office of Student Conduct at osc@indiana.edu. If you would like to complete a file review of the records related to this case, please call 812-855-5419 with at least 24 hours' notice.

You may obtain more information about university policies and procedures at <http://studentcode.iu.edu/index.html> and more information about the consequences of a suspension at <https://studentaffairs.indiana.edu/student-conduct/judicial-process/consequences-suspension.html>. You may also call the Office of Student Conduct at 812-855-5419.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Adams Riester', with a stylized flourish at the end.

Kathy Adams Riester
Associate Vice Provost for Student Affairs
Executive Associate Dean of Students

Cc:

Lauren Robel, Provost and Executive Vice President
Jill Lees, Chief of Police, IUPD
Libby Spotts, Associate Dean, Office of Student Conduct